

**U.S. Pat. Appl. Ser. No. 10/693,178
Attorney Docket No. 11884/405901
Reply to Final Office Action of April 9, 2007**

Amendments to the Drawings:

The attached Replacement sheets of drawings for Figs. 1 to 3, 6, 7, 10, 11, 16, and 21 are submitted in response to the drawing objections as to unevenly dark lines and faded lettering, as detailed in the Office Action. Approval and entry are respectfully requested, and withdrawal of the objections is respectfully requested.

Attachment: Eight (8) Replacement Sheets

REMARKS

I. Introduction

Claims 2 and 10 have been canceled. Claims 1 and 9 have been amended herein without prejudice for clarification and to include subject matter of, respectively, canceled claims 2 and 10. No new matter has been added. Claims 1, 3 to 9, and 11 to 21 are currently pending in the present application. Claims 17 to 21 have been withdrawn from consideration. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to the Drawings

In response to the objection to the drawings, Replacement sheets of drawings are submitted to address the objection to the drawings. Figs. 1 to 3, 6, 7, 10, 11, 16, and 21 have been amended herein without prejudice to obviate these objections. No new matter has been added. Approval and entry are respectfully requested. Withdrawal of the objections is therefore respectfully requested.

III. Rejection of Claims 1 to 16 Under 35 U.S.C. § 102(e)

Claims to 1 to 16 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,922,685 (“Greene et al.”). The present rejection should be withdrawn for at least the following reasons.

As an initial matter, claims 2 and 10 have been canceled herein without prejudice, rendering moot the present rejection with respect to these claims.

To reject a claim under 35 U.S.C. § 102(e), the Office must demonstrate that each and every claim feature is identically described or contained in a single prior art reference. (*See Scripps Clinic & Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). As explained herein, the Final Office Action does not meet this standard as to all of the features of the claims.

Independent Claims 1 and 9 and their Dependent Claims are Allowable over the Art

Claim 1 relates to a computer system for selectively retrieving runtime objects in an application development environment. Claim 1, as herein amended without prejudice to include subject matter of canceled claim 2, provides for:

. . . a second memory unit storing a plurality of local runtime objects, each local runtime object including a generation setting set prior to the respective local runtime object's generation and indicating a manner according to which the respective local runtime object's generation was to have been conducted; and a processor . . . wherein the processor is configured to invalidate a local runtime object when the local runtime object's generation setting does not match a current generation setting.

Claim 9 relates to a computer-implemented method for selectively retrieving runtime objects in an application development environment. Claim 9, as herein amended without prejudice to include subject matter of canceled claim 10, provides for:

. . . storing a plurality of local runtime objects, each local runtime object including a generation setting set prior to the respective local runtime object's generation and indicating a manner according to which the respective local runtime object's generation was to have been conducted . . . and invalidating a local runtime object when the local runtime object's generation setting does not match a current generation setting.

The Final Office Action refers to the "self-healing" function discussed in column 60, and to column 61, lines 62 to 66, and column 62, lines 21 to 30 of Greene et al. as allegedly disclosing these features of claims 1 and 9. As set forth in Applicants' Response dated December 26, 2006, the referenced sections discuss copies of shared data objects and entity instance objects used for accessing the shared data objects, but Greene et al. do not disclose, or even suggest, that any of these objects includes a generation setting of any kind, and certainly not one that is associated with the object's generation.

In response to Applicants' argument, the Final Office Action asserts an unreasonably broad interpretation of the term "generation setting." In this regard, the Final Office Action interprets "generation setting"¹ as "anything that can help identify components

¹ The Office Action actually interprets the term "generation information," but it appears that the Office Action intended to interpret the term "generation setting" since the latter is the term used in the claims.

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for debugging.” Final Office Action, page 4. During patent examination, the claims are given the broadest reasonable interpretation consistent with the specification. *See In re Morris*, 127 F.3d 1048, 44 U.S.P.Q.2d 1023 (Fed Cir. 1997). The words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. M.P.E.P. § 2111.01. The Final Office Action’s interpretation is overly broad in view of both the specification and the plain meaning of the term “generation setting” for the following reasons.

The Final Office Action incorrectly asserts that the present application’s specification supports the Final Office Action’s interpretation. The Final Office Action states that “[t]he Applicant indicates that a generation setting can be debug information, etc, and later indicate that his system indicates a generation timestamp.” Final Office Action, page 4. These characterizations of the specification are incorrect. The specification indicates that a generation setting is a setting according to which generation is performed. See specification, e.g., at paragraph 1. As for the Final Office Action’s reference to debug information, the specification indicates that the generation settings can include a setting that indicates how an object is to be generated with respect to the feature of including debug information. For example, generation settings may include the setting of “Include additional Debug Code,” indicating whether an object is to be generated with the attribute of including additional debug code. See specification, e.g., at paragraph 86. As for the Final Office Action’s reference to inclusion of a generation timestamp, an object’s inclusion of a generation timestamp does not shed any light on the meaning of the term “generation setting.”

Further, this interpretation of “generation setting” as a setting according to which generation is performed is in line with the plain meaning of “setting” in the field of computers. A computer setting refers to one or more variables which are set and the states of which indicate how the computer is to behave with respect to aspects to which the variables correspond. For example, a resolution setting indicates the resolution according to which a computer is to generate a display.

Notwithstanding the above discussion regarding the correct interpretation of the term “generation setting,” claims 1 and 9 have been amended herein without prejudice to clearly recite a generation setting that is “set prior to the respective local runtime object’s

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generation and [that indicates] a manner according to which the respective local runtime object's generation was to have been conducted.”²

While Greene et al. might refer to attribute information “used to identify related components and [which] can later be used for debugging,” Final Office Action page 4, Greene et al. do not disclose, or even suggest, a local runtime object including a generation setting as provided for in the context of claims 1 and 9.

Further, the Final Office Action incorrectly asserts that the “self-healing” function of Greene et al. disclose a processor that is configured to invalidate an object when the object's generation setting does not match a current generation setting. The “self-healing” function of Greene et al. is performed to update registrars including stale references to old services that are no longer available. During the function, if it is determined that the registrar includes such a stale reference, the reference is removed. See Greene et al., column 57, line 66 to column 58, line 56 and column 59, line 58 to column 60, line 19. The “self-healing” function does not disclose, or even suggest, a matching of a current generation setting to one associated with an object's generation, even according to the Final Office Action's incorrect interpretation of the term “generation setting,” and certainly according to the correct interpretation of this term.

Therefore, Greene et al. do not disclose, or even suggest, all of the features recited in either of claims 1 and 9, and do not anticipate either of claims 1 and 9, or any of their dependent claims, e.g., claims 3 and 4, and 11 and 12, respectively.

Independent Claim 5 is Allowable over the Art

Claim 5 relates to a computer system for selectively retrieving runtime objects in an application development environment. Claim 5 provides for:

... the generator component configured to invalidate and validate server and local runtime objects, and to regenerate the requested runtime object conditional upon the retrieved runtime object's invalidity ...

The Final Office Action does not at all address these features of claim 5, and, as set forth in Applicants' Response dated December 26, 2007, the sections referred to by the

² The amendments to claims 1 and 9 merely clarify the subject matter already included in the claims as originally presented and do not require any additional searches. The Examiner should have considered these features with respect to the claims as originally presented since “[d]uring patent examination, the pending claims must be ‘given their broadest *reasonable* interpretation *consistent with the specification*.’” M.P.E.P. § 2111 (emphasis added). For the reasons set forth above, the Examiner's interpretation of the claim language as originally presented was unreasonable, particularly in view of the specification.

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Office Action dated September 25, 2006 as allegedly disclosing the features of claim 5 do not disclose, or even suggest, a generator component that validates, invalidates, retrieves, and regenerates a requested one of server and local runtime objects. Indeed, Greene et al. do not disclose, or even suggest, these features. It is respectfully requested that the Examiner indicate, for each of the features of claim 5, including, for example, the features of (a) server and local runtime objects, (b) a generator component configured to invalidate and validate the objects relied upon by the Examiner as disclosing the server and local runtime objects, (c) regeneration of a requested runtime object, and (d) such regeneration being conditional upon a retrieved one of the server and local runtime object's invalidity, the particular sections of Greene et al. that assertedly disclose these features.

Since Greene et al. do not disclose, or even suggest, all of the features recited in claim 5, Greene et al. do not anticipate claim 5.

Independent Claims 6 and 13 are Allowable over the Art

Each of claim 6 and 13 recites, *inter alia*, “at least one local runtime object from the plurality of local runtime objects including, content, a state, and an original checksum attribute, the original checksum attribute [configured to represent or representing] a combination of the content and the state of the local runtime object with which the original checksum attribute is associated.” The Final Office Action asserts that column 2, lines 38 to 45 and Figs. 17a, 17b, 31, 33, 34, and 38 of Greene et al. disclose the recited local runtime objects including the content, state, and original checksum attribute representing the combination of the content and the state of the local runtime object. The cited sections and figures refer to associations between various tables of data but do not disclose, or even suggest, a checksum attribute, in particular, one that represents a combination of content and a state.

Furthermore, it is “well settled that the burden of establishing a *prima facie* case of anticipation resides with the [United States] Patent and Trademark Office.” *Ex parte Skinner*, 2 U.S.P.Q.2d 1788, 1788 to 1789 (Bd. Pat. App. & Inter. 1986). The Examiner has not satisfied this burden with respect to claims 6 and 13 because, the Examiner has not at all addressed many of the features recited in either of claims 6 and 13. For example, the Examiner has not addressed any of the features of a pointer that includes a copy of a checksum attribute associated with an object that the pointer identifies, calculating a new checksum attribute associated with a requested object in response to the request for the

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object, comparing the new checksum attribute to the pointer's copy of the original checksum attribute, invalidating an object in case of a mismatch, and retrieving the object if it remains valid. Indeed, Greene et al. do not disclose, or even suggest, these features. It is respectfully requested that the Examiner address each of these features and indicate, for each of these features, the particular sections of Greene et al. that assertedly disclose these features.

Since Greene et al. do not disclose, or even suggest, all of the features recited in either of claims 6 and 13, Greene et al. do not anticipate either of claims 6 and 13.

Independent Claims 7 and 14 and their Dependent Claims are Allowable over the Art

Claim 7 relates to a computer system for selectively retrieving runtime objects in an application development environment. Claim 7 provides for:

. . . a generator component responsive to a request for a requested runtime object by being configured to: determine if the plurality of server runtime objects includes a valid copy of the requested runtime object; if it is determined that the plurality of server runtime objects includes the copy of the requested runtime object, determine if the plurality of local runtime objects includes a runtime object that corresponds to the valid copy of the requested runtime object . . .

Claim 14 relates to a computer-implemented method for selectively retrieving runtime objects in an application development environment. Claim 14 provides for:

. . . responding to a request for a requested runtime object by: determining if the plurality of server runtime objects includes a valid copy of the requested runtime object; if it is determined that the plurality of server runtime objects includes the copy of the requested runtime object, determining if the plurality of local runtime objects includes a runtime object that corresponds to the valid copy of the requested runtime object . . .

As set forth in Applicants' Response dated December 26, 2007, Greene et al. do not disclose, or even suggest, responding to a request for a runtime object by determining if the requested object is in a plurality of server objects, and, if so, determining if a local object corresponds to the server object, or a generator component configured to do so. The Final Office Action does not address these features. Indeed, it is respectfully submitted that Greene et al. do not disclose, or even suggest, these features. It is respectfully requested that the Examiner address each of these features and indicate, for each of these features, the particular sections of Greene et al. that assertedly disclose these features.

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Since Greene et al. do not disclose, or even suggest, all of the features recited in either of claims 7 and 14, Greene et al. do not anticipate either of claims 7 and 14, or their dependent claims 8 and 15, respectively.

Dependent Claims 8 and 15 Recite Other Features that Distinguish Over the Art

Further, with respect to claims 8 and 15, which recite that a local runtime object corresponds to a server runtime object when the local runtime object's content attributes and state attributes match the server runtime object's content attributes and state attributes, the Final Office Action refers to column 32, lines 16 to 39 as allegedly disclosing the features recited in claims 8 and 15. As set forth in Applicants' Response dated December 26, 2007, the cited section discusses a registry that broadcasts its availability. How the Examiner gleans from the referenced section anything that remotely hints at the features recited in claims 8 and 15, let alone discloses it, is incomprehensible. The Examiner apparently misunderstood Applicants' argument as indicating that Greene et al. do not refer to a registry. This is not Applicants' argument. Instead, Applicants admit that Greene et al. refer to a registry, but assert that the registry does not disclose the features recited in either of claims 8 and 15. Indeed, Greene et al. do not disclose, or even suggest, the features recited in either of claims 8 and 15.

For this additional reason, Greene et al. do not anticipate either of dependent claims 8 and 15.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Finality of the Office Action

In view of the Examiner's failure to address, in both the present Office Action and in the Office Action dated September 25, 2006, all of the features recited in each of the claims Applicants respectfully request that the Examiner withdraw the finality of this Office Action. Applicants request that the Examiner carefully consider and address in the next Office communication each of the features recited in all of the claims and all of Applicants' arguments.

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V. Conclusion

In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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Aaron Grunberger
Reg. No. 59,210

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200

CUSTOMER NO. 26646